



## Livestock Facility Siting Newsletter Release

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### **Livestock Facility Siting Standards and Management Plan Requirements**

Where the livestock facility siting law applies, new and expanded livestock facilities must meet state standards designed to protect air and water quality. Combined with required management plans, these standards provide higher levels of protection than many zoning ordinances provided before May 1, 2006.

Siting standards apply when livestock operators must obtain a zoning or licensing permit to build a new operation or expand an existing operation. A local government can only require a permit if it has an ordinance that incorporates the siting law requirements, and the proposed livestock operation exceeds certain thresholds. While state standards primarily address water quality concerns familiar to livestock operators, there is a new standard related to odor management. In addition, an operator must complete two management plans: an employee training plan and an environmental incident response plan.

### **Livestock Facility Siting Standards**

The standards protect water quality by addressing manure management, including storage and runoff control. A permit applicant must calculate the amount of waste (manure) generated at the facility, the waste storage duration, and identify the land available for spreading this waste. If applicants lack an adequate land base to apply manure or have 500 or more animal units, they must complete a checklist showing that they can properly manage nutrients to meet water quality and agronomic standards. As part of this checklist, applicants must use soil test results or other values to determine manure applications.

Applicants must show that all manure storage structures can operate without risk of failure or discharges. All new structures, or modifications to existing structures, must be designed and constructed according to technical standards developed by Natural Resources Conservation Service (NRCS). Operators with existing facilities must certify that these facilities pose no risk of failure or leaking. If



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existing structures will not be used, they must be closed according to NRCS standards. Storage capacity adequate to meet the facility's anticipated waste generation is required.

Methods to control runoff from animal lots must be designed according to the NRCS technical standard for a wastewater treatment strip. Applicants must evaluate existing facilities to show acceptable runoff using the BARNY model, which is used to design buffers according to this standard. A higher level of control is required for a lot near surface water, and discharge to sinkholes or other conduits to groundwater is not allowed. Applicants must divert clean water from buildings, bunkers and paved areas used to store high moisture feed, and collect and treat leachate. Additional requirements are imposed on new and modified feed storage structures.

The siting standards require livestock operators to follow certain practices near waterways that are consistent with the agricultural performance standards in NR 151, Wis. Admin. Code. These practices require the diversion of clean water from animal lots and other structures, prevent the unconfined stacking of manure, and restrict grazing on streambanks to ensure adequate vegetative cover. An operator must also prevent overflow from manure storage structures.

The new odor management standard uses a model to predict the odor from a proposed facility's production areas (livestock housing, waste storage areas including lagoons, and animal lots). The model considers size of the structure, the current or proposed best management practices, and the distance of the facility to neighbors. A number of options for obtaining compliance exist, including incorporating additional odor control practices at the facility.

In addition to the proposed standards, applicants must comply with all existing laws applicable to the proposed facility including shoreland and floodplain zoning, and must meet local setbacks (subject to state maximums).

### **Employee Training Plan**

A training plan designed to ensure that facility employees are familiar with the practices and procedures necessary to meet permit and other operational requirements must be submitted with an application for a permit. Livestock operators have the flexibility to design the plan to meet their specific training needs, but the plan must address the following topics:

- Nutrient management,
- Odor management,
- Runoff management,
- Manure and waste handling,
- Employee safety, and
- Environmental incident response.

The plan must cover all of these topics, however, not all of the employees at the facility need to be trained in all topics. Operators should consider how contract employees will be trained and incorporate these contractors into their employee training plan. The employee training plan must describe the



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frequency of training, and include at least one training per year that covers each of the required training topics. The plan must identify how the training will be delivered; examples include classroom presentations or demonstrations, the distribution of a manual, or viewing of a video. The operator must indicate who will present the training. Presenters could be the livestock facility managers, consultants, professional educators, or others. Finally, operators must describe the system that will be used to take and record attendance.

### **Environmental Incident Response Plan**

The environmental incident response plan describes emergency procedures in the event of an environmental incident such as a manure spill. Copies of the plan should be kept in easily accessible and known locations for reference in case of an incident.

As with the employee training plan, a livestock operator can determine the plan contents, as long as the following minimum content is addressed:

- Overflows and spills from waste storage facilities,
- Catastrophic system failures,
- Manure spills during transport and application,
- Movement of manure during or after application,
- Catastrophic mortality disposal, and
- Odor complaints.

Each environmental incident response plan must clearly identify contacts for the facility, including the names and telephone numbers of first responders (DNR, fire departments, and contractors). For each type of environmental incident listed above, the plan must clearly identify the response procedures, including how and to whom the facility will report an incident, and the names or job titles of employees and managers to be involved in the response. The plan must also clearly describe a recordkeeping protocol including a description of the records that are needed in each instance, how and where they will be kept, and for how long. The plan should be reviewed and updated regularly to ensure contact information is accurate and response procedures are adequate